

**136.076 Auditing of returns -- Assessment of additional tax.**

- (1) As soon as practicable after each return is received, the department shall examine and audit it. If the amount of tax computed by the department is greater than the amount returned by the taxpayer, the additional tax shall be assessed and a notice of assessment mailed to the taxpayer by the department within four (4) years from the date the return was filed, except that in the case of a failure to file a return, or of a fraudulent return, the additional tax may be assessed at any time. The time provided in this section may be extended by agreement between the taxpayer and the department.
- (2) For the purpose of subsection (1) of this section, a return filed before the last day prescribed by law for filing the return thereof shall be considered as filed on the last day. For taxable years beginning after December 31, 1993, any extension of time granted for filing the return shall also be considered as extending the last day prescribed by law for filing the return.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 85, sec. 298, effective June 20, 2005. -- Amended 1994 Ky. Acts ch. 106, sec. 1, effective July 15, 1994. -- Created 1962 Ky. Acts ch. 94, sec. 7.